

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12558 of the Roman Catholic Archdiocese of Washington, pursuant to Paragraph 8207.11 and and Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to permit an addition to an existing private school and for a variance from the prohibition against locating an accessory building in a side yard (Sub-section 7601.2) to allow a greenhouse to be constructed at the Kennedy Institute in the R-5-A District at the premises 801 Buchanan Street, N. E., (Parcel 135/71).

HEARING DATE: January 18, 1978

DECISION DATE: January 18, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located at 801 Buchanan Street, N. E. and is in an R-5-A District.

2. The subject Kennedy Institute is a private, non-profit academic and vocational school for handicapped and retarded youths which was founded in 1959. It is owned and operated by the Roman Catholic Archdiocese of Washington. The school was approved by the Board on September 10, 1958, BZA Order No. 5225. The students ranges in age from six to eighteen years. Students come from the District of Columbia and surburan Virginia and Maryland.

3. The subject property is approximately 6.8 acres (295,800 square feet) in area. The School building is located on the south side of Buchanan Street, N.E. in the 800 block. To the west of the subject property is the Model Secondary School for the Deaf which is operated by the Marist Fathers. The main campus of the Catholic University of America is to the southwest of the subject property (west of Brookland Avenue). Across Buchanan Street from the subject property is an R-2 District wherein single family semi-detached homes predominate. South of the Institute, on Varnum Street, N.E., are Providence Hospital and the site for the new D. C. Association for Retarded Citizens school facility.

4. The applicant seeks permission to construct a greenhouse in a side yard which will be used in conjunction with the school's educational and vocational programs. To

accomplish this purpose the applicant needs a special exception for the addition to the existing school and a variance from the prohibition against locating an accessory building in a side yard instead of a rear yard.

5. The greenhouse will be used by the existing student body and no increase in the number of students is proposed.

6. The proposed greenhouse is approximately 750 square feet in area (18 feet X 42 feet).

7. The lot area of the existing school site is approximately 295,800 square feet or 6.8 acres. The school building presently occupies approximately 27% of the site. With the proposed addition, the total lot occupancy will be approximately 28%. A school building may occupy 40% of its lot area in the R-5-A District.

8. The school has a rear yard of approximately 113.34 feet. The western side yard is greater than 100 feet and the eastern side yard is greater than 350 feet.

9. The applicant has testified that to locate the greenhouse in the rear yard would require more costly modifications to the school than the proposed location. Plumbing, heating and electrical expenses will be reduced by putting the greenhouse in the side yard. If the greenhouse were to be placed in the rear yard it would destroy the children's playground area in which there is play equipment permanently fixed to the ground. Such equipment would have to be moved and the asphalted playground floor dug up. In addition, if the greenhouse were placed in the rear it would be less accessible and convenient to the students and teachers.

10. Greenhouses are permitted as a matter-of-right in an R-5-A District. A private school is permitted only as a special exception.

11. There was no opposition to the application.

12. The Municipal Planning Office, by report dated January 11, 1978, recommended approval of the application on the grounds that the proposed addition would have no adverse affect on nearby or adjoining properties and will not affect the environmental condition of the existing school or neighboring properties.

13. Advisory Neighborhood Commission 5A filed no recommendation on the application.

CONCLUSIONS OF LAW:


Based on the record the Board is of the opinion that because of the large area of land the school occupies and the practical difficulties the applicant would face if the greenhouse were to be located in the rear yard, a variance to locate the structure in the side yard is warranted. To grant such a variance will allow easier access to the structure by handicapped students and will not affect the environmental conditions of the existing school or neighboring properties. The Board is further of the opinion that the special exception sought is in harmony with the general purpose and intent of the Zoning Regulations and Maps. Accordingly, it is ORDERED that the application is GRANTED.

VOTE:

4-0 (Chloethiel Woodard Smith, Charles R. Norris,
William F. McIntosh and Leonard L. McCants)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 10 FEB 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARMTNET OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Request for modification of plans in Application No. 12558 of the Roman Catholic Archdiocese of Washington, pursuant to Paragraph 8207.11 and Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to permit an addition to an existing private school and for a variance from the prohibition against locating an accessory building in a side yard (Sub-section 7601.2) to allow a greenhouse to be constructed at the Kennedy Institute in the R-5-A District at the premises 801 Buchanan Street, N.E., (Parcel 135/71).

HEARING DATE: January 18, 1978

DECISION DATE: January 18, 1978

DISPOSITION: Application GRANTED by a vote of 4-0
(Chloethiel Woodard Smith, Charles R. Norris,
William F. McIntosh and Leonard L. McCants)

FINAL DATE OF ORDER: February 9, 1978

ORDER

The Applicant's request for modification of plans, dated August 1, 1978, asks that the Board approve Design No. 1 Greenhouse which measures twenty-five feet by forty feet and marked as Exhibit 22 in the record, instead of Design No. 2 Greenhouse which measures eighteen by forty-two feet and marked as Exhibit 23 in the record. Design #2 was originally approved by BZA Order No. 12558 dated February 9, 1978.

The lot area of the existing school site is approximately 295,800 square feet or 6.8 acres. The school building presently occupies approximately 27% of the site. With the proposed addition, the total lot occupancy will be approximately 28%. A school building may occupy 40% of

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its lot area in the R-5-A District. The Board finds that the greenhouse will be located in the same location, and that there would be no material difference as far as the Board is concerned between the two different plans.

It is therefore ORDERED that Design #1 Greenhouse marked as Exhibit 22 in the record is hereby APPROVED. In all other respects the Approval GRANTED in BZA Order No. 12558, dated February 9, 1978, remains unchanged.

VOTE: 4-0 (William F. McIntosh, Charles R. Norris, Chloethiel Woodard Smith and Theodore F. Mariani to approve modification)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

FINAL DATE OF ORDER: 14 AUG 1978

ATTESTED BY: _____

Steven E. Sher
STEVEN E. SHER
Executive Director